

**TOWN OF STERLING  
BOARD OF SELECTMEN  
POLICIES AND PROCEDURES**

**NOTE:** The first date noted in the "Approval Date" column is the date that a policy was originally approved. Any additional dates indicate when the policy was amended.

**A. Purpose and Framework for Policies**

Policy Name	Approval Date
1. Purpose of Policies	Dec. 10, 2012
2. Nature of Policies	Dec. 10, 2012
3. Procedure for Establishing/Modifying Policies	Dec. 10, 2012

**B. Selectmen's Meetings**

Policy Name	Approval Date
1. Role of the Board of Selectmen	Dec. 10, 2012
2. Role of the Town Administrator	Dec. 10, 2012
3. Duties and Responsibilities of Board Members	Dec. 10, 2012
4. Organization of the Board; Election of Officers	Dec. 10, 2012
5. Responsibilities of Officers of the Board	Dec. 10, 2012
6. Meetings of the Board	Dec. 10, 2012
7. Relations with Citizens	Dec. 10, 2012

# **TOWN OF STERLING BOARD OF SELECTMEN POLICIES AND PROCEDURES**

## **A. Purpose and Framework for Policies**

### **1. PURPOSE OF POLICIES AND PROCEDURES**

The Board of Selectmen of the Town of Sterling recognizes the need to:

- Define the traditional and accepted working relationships among members of the Board, between the Board and other town boards, committees, officials, and citizens,
- Establish a consistent and systematic methodology for dealing with operating issues,
- Provide local interpretation and application of General Laws, Bylaws, and other constituting documents, and
- Set the expectations of those who come before the Board to conduct business.

### **2. NATURE OF POLICIES AND PROCEDURES**

These policies and procedures shall address those topics that cannot be dealt with elsewhere. Its content should be considered supplemental and subordinate to language embodied in state statute and Town By-law. Subjects that are more appropriately addressed in statute, by-law or regulation shall not be included in this format, except in reference. The individual policies and procedures embodied herein are severable. If any of them are held to be unconstitutional or invalid, the remaining policies and procedures shall not be affected thereby.

Acceptance of the policies and procedures embodied herein shall supersede all previous policies and procedures accepted by past Boards of Selectmen. Unless otherwise noted, the term "Board" shall refer to the Sterling Board of Selectmen. The term "MGL" shall refer to the Massachusetts General Laws.

### **3. PROCEDURE FOR ESTABLISHING POLICIES AND PROCEDURES**

A policy may be initiated by a member of the Board or the Town Administrator by requesting that the Chairman provide for discussion of the proposed policy on the agenda of a regular meeting of the Board. The individual initiating the discussion shall provide the Board with a written draft of the proposed policy for distribution to the Selectmen at least 14 days in advance of the meeting.

The Board may schedule any hearing or meetings it deems necessary for discussion. The Board may distribute a draft for comment to appropriate officials as it deems necessary, and shall notify of the discussion any Town boards, committees, or employees who may be affected by the policy.

A new or revised policy adopted by the Board shall take effect immediately, and shall be carried out until it is rescinded or amended. The Selectmen's Office shall be responsible for the maintenance of all policies and procedures, for incorporating new and amended policies, and for ensuring that copies of the Board's policies and procedures are distributed to newly elected Board members. Copies of the Policy Manual shall be made available to the public at the Selectmen's Office and on the Town web site.

## **B. Selectmen and Selectmen's Meetings**

### **1. ROLE OF THE BOARD OF SELECTMEN**

The Board of Selectmen is an elected board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts, and from the bylaws of the Town of Sterling.

The Board is responsible for executive Town policy development and review. The Board works with the Town Administrator on policy development, and oversees the Town Administrator in his/her role as supervisor of town departments. The Board, through the Town Administrator, is responsible for supervising the departments of general government that are not supervised by other elected Town boards.

The Board will refrain from involvement in day-to-day operations. Concerns or questions regarding the operation of departments, and suggestions for improvements should be addressed to the Town Administrator. A Board member wishing an in-depth inquiry into a department's policies, procedures, or operations must make such a request during a regular Board meeting in open session and receive approval by the Board by consensus or Board vote.

The Board may be called upon to settle disputes that cannot be resolved by the Town Administrator.

Except in the case of emergency, no actions representing the Board shall be taken by a member or members of the Board without the prior consent of a majority of the Board.

## **2. ROLE OF THE TOWN ADMINISTRATOR**

The Board appoints a Town Administrator who functions as the Town's Chief Administrative Officer. The primary duties of the Town Administrator shall be the day-to-day administration of the general government as outlined in the position's job description. The Town Administrator will also assist and work under the direction of the Selectmen in the formulation of policy.

The Town Administrator must maintain a close working relationship with all members of the Board. He/she shall regularly brief the Board on all important issues.

If a Selectman or member of the public requests assistance, information, or a special project from an employee, and this project will require more than 30 minutes to respond to, it shall be referred to the Town Administrator, who may, if necessary, refer it to the Chairman for placement on the next agenda for discussion and possible approval.

The Board is aware that coordination and cooperation is needed among the Town's major boards, committees, and commissions, not only in the day-to-day operations of government, but also to set town-wide goals and priorities; identify and anticipate major problems; work together toward their resolution; and develop a process for dealing with state and federal government. The Town Administrator is responsible for inter-board communications in day-to-day operations of government. The Town Administrator shall develop a process for the exchange of information and the provision of advice and recommendations among the boards, committees, and commissions with common interest.

### **3. DUTIES, RESPONSIBILITIES, AND OBLIGATIONS OF BOARD MEMBERS**

A. A member of the Board of Selectmen, in relation to his or her community should:

- Realize that his or her basic function is to carry out its mandated responsibilities and develop Town policy related thereto, with administration delegated to the Town Administrator.
- Realize that he or she is one of a team and should abide by board decisions once they are made.
- Be well informed concerning the duties of a board member on both local and state levels.
- Remember that he or she represents the entire community at all times.
- Accept the office of Selectman as a means of unselfish service, not benefit personally, professionally, or politically from his or her board activities.
- In all appointments, avoid political patronage by judging all candidates on merit, experience, and qualifications only.
- Abide by the ethics established by the State, including MGL Chapter 268A, and not use the position to obtain inside information on matters which may benefit someone personally.

B. A member of the Board of Selectmen, in his or her relations with administrative officers of the Town, should:

- Endeavor to establish sound, clearly defined policies that will direct and support the administration for the benefit of the people of the community.
- Recognize and support the administrative chain of command and refuse to act upon complaints as an individual outside the administration.
- Give the Town Administrator appropriate responsibility for discharging his or her duties, decisions and solutions.

C. A member of the Board of Selectmen, in her or her relations with fellow board members, should:

- Recognize that action at official legal meetings is binding and that he or she alone cannot bind the board outside of such meetings.
- Not make statements or promises of how he or she will vote upon matters that will come before the board until he or she has had an opportunity to hear the pros and cons of the issue.
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.
- Treat with respect the rights of all members of the board despite differences of opinion.

#### **4. ORGANIZATION OF THE BOARD AND ELECTION OF OFFICERS**

Officers of the Board (Chairman, Vice Chairman, and Clerk) shall be elected annually at a meeting of the Board to be scheduled for the first regular meeting following the Annual Town Election. The election of officers is by majority vote. If a vacancy occurs among any of the officers of the Board, the Board shall elect a successor at its next regular meeting. Nominations of officers shall require both a nomination and a second. The Board may, at any time, by majority vote, remove the Chairman or any of the officers.

#### **5. RESPONSIBILITIES OF THE OFFICERS OF THE BOARD**

The Chairman shall:

- Preside at all meetings of the Board at which he/she is present. In doing so, he/she shall maintain order in the meeting room, recognize speakers, call for votes, and preside over the discussion of agenda items;
- Sign official documents that require the signature of the Chairman, following a vote of the Board;
- Call special meetings of the Board in accordance with the Open Meeting Law;
- Prepare meetings agendas with the Town Administrator;
- Represent the Board at meetings, conferences, and other gatherings unless otherwise determined by the Board or delegated by the Chairman;
- Serve as spokesman of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chairman;
- Make liaison assignments, as appropriate, in consultation with Board members, and assign overview responsibilities for projects and tasks to Board members unless otherwise determined by the Board;
- Maintain an open level of communication with the Town Administrator and provide information to the Board as necessary; and
- Ensure that the Board maintains an open level of communication while abiding by all Open Meeting Laws

The Chairman shall have the same rights as other members to offer and second motions and resolutions, to discuss questions, and to vote thereon.

The Vice Chairman shall act in the place of the Chairman during his/her absence at Board meetings. Should the Chairman leave office, the Vice Chairman shall assume the duties of Chairman until the Board elects a new Chairman.

The Clerk shall sign all official documents requiring the signature of the Clerk, with the authorization of the Board, including the meeting minutes.

## **6. MEETINGS OF THE BOARD**

### **A. Meeting Schedule**

The Select Board generally meets on alternate Wednesdays at 7:00 PM. The agenda for these meetings is closed at noon 7 calendar days prior to each meeting. All requests for agenda items must be submitted to the Selectmen's Office by that time.

### **B. Meeting Procedures**

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of such procedure be on a relatively informal basis, due to the size of the group and the desirability of flexibility in the expression of opinion. Robert's Rule of Order is used as a guide in matters requiring clarification of definition.

A quorum shall consist of two members of the Board. As a practical courtesy, action on critical or controversial matters, the adoption of policy or appointments shall be taken, whenever practicable, with the full Board in attendance. Actions and decisions shall be by motion, second and vote. Split votes will be identified by name.

The Town Administrator is expected to be in attendance at all meetings of the Board. The Town Administrator shall attend in order to keep the Board informed and advised and recommend in all matters that fall within the jurisdiction of his office. He/she shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his jurisdiction.

### **C. Executive Sessions**

Only items clearly allowed under the Open Meeting Law shall be included in Executive Session. The maker of the motion or the Chairman must specify the reason the session sought. A majority of the members present must vote to enter Executive Session by roll call vote. The Chairman must state whether or not the Board will reconvene into open session.

### **D. Agenda Procedures**

The responsibility for coordinating and planning the agenda is that of the Town Administrator. Each of the Board Members and the Town Administrator may recommend items for the agenda, with the final agenda approved by the Chairman. The Town Administrator, in consultation with the Chairman, shall schedule a realistic time period for each appointment, interview, conference or other scheduled item of business.

All items for the agenda must be submitted to the Selectmen's Office by 12 Noon at least 7 days before the meeting date. Items added to the agenda after this time will be at the discretion of the Chairman, and only for urgent matters or matters of very routine consideration.

Board members need time to receive and review agenda materials in advance of each meeting. Recognizing this, we ask those submitting materials for the meeting to deliver them to the Selectmen's office by Thursday morning at 9 AM prior to the Wednesday meeting.

#### E. Meeting Minutes

The Selectmen's Office shall ensure that minutes are drafted and made available to Board members in a timely manner. Minutes shall contain a full statement of all actions taken by the Board and of the disposition of all proposals for action. Approved minutes shall be posted on the Town web site and recorded in a Minutes Book. Minutes of Board meetings held in Executive Session shall be kept separately in accordance with law. Minutes (other than those of meetings in Executive Session which the Board has not voted to release) shall be open for public inspection.

The Town Administrator shall periodically review and present for the Board's vote the minutes of meetings held in Executive Session which may be released to the public. The Board shall release minutes of Executive Session at the earliest opportunity without compromising the nature of the matter discussed therein.

#### F. Public Hearings

Hearings before the Board shall be conducted in accordance with the following Procedures. Modifications may be necessary to comply with statutory requirements applicable to particular matters:

- The Selectmen's Office will ensure that the hearing is advertised and notice given to interested persons, such as abutters, as required by statute or as directed by the Chairman in the absence of statutory requirements.
- Hearings will be held in open session unless otherwise voted by the Board in compliance with Open Meeting Law.
- At the time advertised for the hearing, the Chairman will announce the nature and purpose of the hearing, identify the particular matter, and recite the notice given. All questions shall be addressed to the Chair.
- At the conclusion of the hearing, the Board may render its decision or take the matter under advisement, announcing the intended date of decision.

#### G. Citizen Comment Session

Once per month, or as agreed, the Board will schedule a Citizen Comment Session, also known as Public Session, or Public Forum. This Citizen Comment Session will be listed at a specific time on the agenda for a total of 15 minutes. Each speaker will be limited to one inquiry of 2 minutes. Speakers shall directly address the Chair who shall only acknowledge the speaker and not comment on the subject raised. In accordance with the Open Meeting Law, no discussion or deliberation on the issue may take place and no action may be taken by the Board, other than to place the matter on a future agenda.



## **7. RELATIONS WITH CITIZENS**

In recognizing that it both represents and is accountable to the residents of the Town, it is the policy of the Board to make every effort to strengthen communications with citizens. The Board will act to increase citizen participation, encourage citizen input into government decisions, and to keep residents informed of all actions contemplated or taken by the Board which will affect them. To this end, the Board will take the following steps:

1. Persons who will be directly affected by proposed Board discussion and/or action will be notified by the Selectmen's Office of the date and time of meeting at which the matter will be discussed or acted upon by the Board.
2. If the Board is considering matters of citizen concern at a regular meeting, the public will be allowed to ask questions or make statements relative to the matter under consideration at the discretion of the Chairman or upon request of the majority of the Board.
3. Individuals or groups not scheduled on the agenda of a called meeting may be recognized to speak only at the request of the Chairman of the Board of Selectmen or a majority of the Board of Selectmen. In these cases, Open Meeting Law permits the Board to listen, but not to deliberate such items, until they are properly posted on a future meeting agenda.
4. Once per month, or as agreed, the Board will schedule a Citizen Comment Session at a specific time on its agenda as described above in section 6G.
5. An individual citizen or group of citizens may request an appointment before the Board by contacting the Town Selectmen's Office or a member of the Board of Selectmen, stating precisely the reason for the appearance and the action desired. The Chairman will determine when this group is scheduled and for how much time, with the goal that participants be given the opportunity to make a reasonable presentation and to express opinions and ask for pertinent information. Background data shall be prepared by the boards and departments concerned prior to the meeting, so that all parties involved can have a reasonable understanding of the subject matter. Citizens must have all written materials submitted for the Board's meeting packet one week prior to the meeting date.
6. All other questions and all complaints are to be referred to the Selectmen's Office for action or recommendations.